

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
TERRI JABLONSKI,

Plaintiff,

-against-

SPECIAL COUNSEL, INC.,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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16 Civ. 5243 (AT)

ORDER

By Order dated January 27, 2025, the Court granted Defendant's motion to strike Attorney Jablonski's declaration in opposition to summary judgment and directed the Clerk of Court to strike ECF No. 325 from the docket. *See* Order at 8, 12, ECF No. 358. By letter dated January 30, Plaintiff requested clarification on whether the Court's instruction to strike Attorney Jablonski's declaration at ECF No. 325 "also includes all twenty-two attached exhibits." ECF No. 360. On February 7, Plaintiff moved for reconsideration of the Order, requesting that the Court restore the exhibits attached to Attorney Jablonski's declaration. *See generally* ECF Nos. 362–63.

The Court's Order striking Attorney Jablonski's declaration is limited to the "factual allegations" contained therein. Order at 7. Accordingly, the Order does not strike the attached twenty-two exhibits. Although Defendant has moved to strike most of the exhibits as "inadmissible," ECF No. 336 at 7–9, "[t]here is no need to make a separate motion to strike" such material. Fed. R. Civ. P. 56(c)(2) Advisory Committee's Note to 2010 Amendment; *see also* Order at 11. The Court shall consider Defendant's admissibility arguments where relevant in its summary judgment order.

Accordingly, Plaintiff's motion for reconsideration, ECF No. 362, is denied as moot. The Clerk of Court is directed to terminate the motions at ECF Nos. 360, 362–364, and to reinstate exhibits 1–22 at ECF No. 325.

SO ORDERED.

Dated: February 18, 2025
New York, New York



ANALISA TORRES
United States District Judge